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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID NOSAL,

Defendant.

No. CR 08-0237 MHP

STIPULATION AND ~~PROPOSED~~ ORDER
VACATING DATES AND DOCUMENTING
EXCLUSION OF TIME

On February 2, 2010, the United States filed its Notice of Appeal in this matter. Accordingly, the Court vacates the trial date of February 16, 2010, that was previously set in this matter, as well as any pending pretrial conference dates and briefing schedules.

Under 18 U.S.C. § 3161, any delay resulting from any interlocutory appeal is excluded in computing the time within which the trial of an offense must commence. Accordingly, the parties agree, and the Court hereby documents, that time be excluded under the Speedy Trial Act

STIP. & ~~PROPOSED~~ ORDER VACATING DATES & DOCUMENTING EXCLUSION OF
TIME [CR 08-0237 MHP]

beginning on February 2, 2010, and continuing to the issuance of any mandate from the Court of Appeals.

The parties are ordered to appear on April 26, 2010, at 11:00 a.m. for a status hearing.

DATED: February 3, 2010

SCOTT N. SCHOOLS
Associate Deputy Attorney General
Acting United States Attorney

/s/
KYLE F. WALDINGER
Assistant United States Attorney

DATED: February 3, 2010

/s/
STEVEN F. GRUEL
Attorney for the defendant David Nosal

IT IS SO ORDERED.

DATED: February ⁵____, 2010

